

## REMARKS

As Applicants are filing a RCE herewith, this amendment should be entered and further considered at this time.

Additionally, Applicants have received from the Examiner an "Office Action" and Interview Summary dated September 21, 2004. This Office Action set a one month period for response. The undersigned contacted the Examiner regarding the period for filing this amendment. The Examiner stated that the Final Rejection still was pending and that the 9-21-04 Office Action was incorrect. Accordingly, Applicants are submitting herewith a two month extension of time. If such an extension of time is not needed, please refund the fee sent herewith to our deposit account 50/1039.

Applicants will now address each of the Examiner's rejections in the Final Rejection and further comments in support thereof in the later communications.<sup>1</sup>

## Claim Rejections - 35 USC §103

In the Final Rejection, the Examiner continues to reject Claims 11-18 under 35 USC §103 as being unpatentable over Lin et al. in view of Muraoka et al. The Examiner also continues to reject Claims 13, 14, 17 and 18 under 35 USC §103 as being unpatentable over Lin et al. in view of Muraoka et al. and further in view of Araujo. The Examiner also continues to reject Claims 19, 20, 23, 24, 27 and 28 under 35 USC §103 as being unpatentable over Lin et al. in view of Muraoka et al. and Yoshikawa. The Examiner also continues to reject Claims 21, 22, 25, 26, 29 and 30 under 35 USC §103 as being unpatentable over Lin et al. in view of Muraoka et al. and Yoshikawa et al. and further in view of Araujo et al.

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<sup>1</sup> Applicants are amending independent Claims 11, 15, 19, 23, 27 and dependent Claims 16, 20, 24, 28 to clarify the

Each of these rejections is respectfully traversed.

In the 9-21-04 Office Action, the Examiner states that Applicants have focused on the MOS device of Muraoka et al. as not specifically stating that a MOS device has a gate oxide and Applicants contended that gate electrodes are not parts of the MOS system.

Applicants believe that there has been a misunderstanding and that the above was not Applicants' intention. Rather, Applicants submit that the claimed feature of forming a gate insulating film in contact with the semiconductor film from the surface of which the contaminating impurity has been removed, is not expressly disclosed in any of the cited references. Also, even if the gate electrode were inherent as contended by the Examiner, none of the cited references expressly teach such a gate electrode. Furthermore, Applicants disagree with the Examiner and believe that a MOS capacitor, such as that disclosed in Muraoka, does not have a gate insulating film or a gate electrode.

In addition, while the Examiner may have provided basic literature teaching that MOS systems have a gate oxide, Applicants believe that none of the cited references teach the claimed feature of forming a gate insulating film in contact with the semiconductor film from the surface of which the contaminating impurity has been removed by the step of applying the etching solution. Hence, none of the cited references teach that spin etching is performed before forming the gate insulating film.

The Examiner contends that it is well known to form a polysilicon on a substrate prior to oxidation, which is well known as LOCOS or local oxidation of silicon resulting in a silicon oxide film. However, in LOCOS, a silicon wafer is typically oxidized, not a silicon film. Applicants submit that a silicon wafer is different than a silicon film. While a semiconductor film is formed

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language and intent of the claims.

over a substrate in the claimed invention, a silicon wafer is a substrate by itself. Hence, this feature is not shown or suggested by the cited references.

Further, as previously explained, Muraoka does not teach or suggest that the very thin oxide film formed by the treatment of the oxidation acid is a gate insulating film.

Therefore, for at least the above-stated reasons, the claims of the present application are not disclosed or suggested by the cited references and are patentable thereover.

#### New Claims

Applicants are adding new dependent Claims 31-36 herewith. New Claim 36 recites that the step of crystallization of Claim 19 is performed by irradiating a laser light. Applicants submit that such a feature is not disclosed or suggested by the cited references.

If any fee is due for these new claims, please charge our deposit account 50/1039.

#### Conclusion

Therefore, for at least the reasons discussed above, the claims of the present application are in an allowable condition and should be allowed.

Please charge Deposit Account No. 50-1039 for any further fee for this amendment.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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